



0000099367

MEMORANDUM

TO: Docket Control

FROM: Ernest G. Johnson  
Director  
Utilities Division

EA for EGJ

DATE: June 15, 2009

RE: **STAFF UPDATE - IN THE MATTER OF THE APPLICATION OF WHOLESALE CARRIER SERVICES, INC. FOR APPROVAL OF A CERTIFICATE OF CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE FACILITIES BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES (DOCKET NO. T-04110A-07-0619)**

On October 26, 2007, Wholesale Carrier Services, Inc. ("WCSI") filed an application for a Certificate of Convenience and Necessity ("CC&N") to provide facilities-based and resold local exchange telecommunications services. On April 22, 2009 the Administrative Law Judge issued a Procedural Order requiring Staff to file an update on this matter no later than May 20, 2009. On May 11, 2009, Staff received an email from the Charlotte Lacey of Lance J.M. Steinhart, P.C., the firm that is representing WCSI. Ms. Lacey stated that WCSI did not wish to continue its application for a CC&N. Staff informed Ms. Lacey that WCSI should file a request to withdraw its application with Docket Control. On June 8, 2009, the Administrative Law Judge issued a Procedural Order that required Staff to file a copy of the May 11, 2009, e-mail sent to Staff by WCSI's attorney in which the attorney indicated that WCSI no longer desires to obtain a CC&N.

Attached is a copy of the email sent by WCSI's attorney to Staff. Given the circumstances, Staff believes that, the email is sufficient documentation to be considered a withdrawal of the application. Staff has no objection to WCSI's request to withdraw its application.

CA:kdh

Originator: Candrea Allen

Attachment: Original and Thirteen Copies

Arizona Corporation Commission  
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SERVICE LIST FOR: Wholesale Carrier Services, Inc.  
DOCKET NO.: T-04110A-07-0619

Mr. Lance J.M. Steinhart, P.C.  
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Ms. Lyn Farmer  
Chief Administrative Law Judge, Hearing Division  
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Phoenix, Arizona 85007

**Candrea Allen**

**From:** Charlotte Lacey [clacey@telecomcounsel.com]  
**Sent:** Monday, May 11, 2009 9:53 AM  
**To:** Candrea Allen  
**Subject:** Wholesale Carrier Services, Inc.

Candrea,  
Good Afternoon. At this time, Wholesale Carrier does not wish to move forward in getting certification in this state due to the bond requirement. Please let me know if you need any further information. Thank you.

**LANCE J.M.  
STEINHART**

Charlotte Lacey, Regulatory Specialist  
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5/11/2009